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MAR 27 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CORNELIUS LOPES
6251 QUARTZ PLACE
NEWARK, CA. 94560

Cornelius Lopes
Plaintiff.

v.

Fremont Freewheelers, et. al.,
Defendants,

Case No. C 07 6213 PJH

STIPULATION AND ORDER TO
CHANGE THE TIME OF THE CMC
FROM April 3, 2208 to May 30, 2008

Plaintiff Cornelius Lopes is requesting from the Court to change the Time of the CMC because
a majority of the defendants have not mailed back a signed acknowledgement of receipt of the
Summons and Complaint the Plaintiff mailed to them pursuant to California Code of Civil
Procedure ss415.30

1 This stipulation is in conformance with Civil L.R. 7-12
2 requesting an order to change Case Management Conference from April 3, 2008 to May
3 30, 2008 an event already scheduled by the Court.

4 Declarations:

5 The Plaintiff request is due to defendants not signing and mailing back the summons and
6 complaint, served by mail to all 30 Defendants on December 3, 2007. Under ss415.30 of
7 the California Code of Civil Procedure the service would not be effective on the Defendants.

8
9 There have been no previous time stipulations in this case either by the Plaintiff or Defendants.

10
11 The effect the requested time modification will have by this stipulation will allow a process
12 server to serve all Defendants with the summons and complaint within the eight week period.
13 CB Ellison and the City of Newark are the only parties who have filed notice of appearance and
14 CB Ellison is no longer a party of this suite.
15 Plaintiff ask this Court to grant the CMC, this cases first hearing so the other parties can be served
16 with the Summons and Complaint and be held to answer for the civil rights violations on the
17 Plaintiff.

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